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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) No. CR. S 02-560 EJG
11)
12 Plaintiff,) REQUEST FOR EXTENSION OF TIME
13 v.) TO FILE OPPOSITION BRIEF;
14) DECLARATION OF COUNSEL; AND
15 ROLAND ADAMS,) ORDER
Defendant.)
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16 Pursuant to the Court's Order After Status Conference filed May
17 29, 2007, the government's oppositions to the defendant's Motion
18 Requesting Return of Funds in 529 College Accounts, Motion to
19 Dismiss Forfeiture Counts Nine and Ten, Motion for New Trial on
20 Counts Nine and Ten, and Motion Pursuant to 28 U.S.C. § 2255 to
21 Vacate, Set Aside, or Correct Sentence are due July 13, 2007. As
22 explained more fully in the accompanying declaration of counsel, the
23 undersigned counsel does not believe she can fully respond to the
24 § 2255 motion by July 13, 2007. Therefore, the government requests
25 an extension of time in which to file an opposition brief to the
§ 2255 motion and an order requiring the government's response to be

1 filed on or before July 27, 2007. I do not believe this extension
2 of time will prejudice the defendant as it appears some travel
3 delays have postponed his return to his designated Bureau of Prisons
4 institution.

5 The government provides the accompanying declaration of counsel
6 in support of this request for extension of time to file its
7 opposition brief.

8 Date: July 13, 2007

Respectfully submitted,

9 MC GREGOR W. SCOTT
10 United States Attorney

11 By: /s/ Camil A. Skipper
12 CAMIL A. SKIPPER
13 Assistant U.S. Attorney

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16 ORDER

17 Good cause having been shown, the government's request for an
18 extension of time to file its opposition brief is granted. The
19 government's shall file its opposition brief on or before July 27,
20 2007. The movant may file and serve a reply within 30 days after
21 service of the opposition. The matter will then be taken under
22 submission.

23 IT IS SO ORDERED.

24 Date: July 23, 2007

25 /s/ Edward J. Garcia
26 EDWARD J. GARCIA
Senior Judge

DECLARATION OF CAMIL A. SKIPPER

I, CAMIL A. SKIPPER, declare as follows:

1. I am employed as an Assistant United States Attorney for the Eastern District of California in Sacramento. I make this declaration in support of the government's request for extension of time to file its opposition brief. I believe that the facts contained in this declaration are true and correct. If called to testify, I would and could testify accordingly.

2. I have been assigned to this case since spring 2002.

3. At the status conference on May 16, 2007, I asked that the government be allotted 45 days to respond to the § 2255 motion in case no. 02-560. I did not consider that I would be required to file four briefs on the same day.

3. When I received the Court's order filed May 29, 2007, I was in the midst of preparing a Ninth Circuit brief for filing on June 13. After briefly reviewing the motions, I determined to begin work on the four motion on July 2, so that I might timely file each response on July 13.

4. Despite unexpected requests for a complaint and search warrant on July 2, I did begin work on the motions. However, due to illness, I was unable to work on the opposition briefs from July 5 through July 9.

5. When I returned to work on July 10, I continued my preparation of the opposition briefs despite lingering illness. To date, I have completed three of the four opposition briefs; I have not completed the opposition to the § 2255 motion.

1 6. I do not believe I can file a complete and meaningful
2 response to Adams' confusing and rambling § 2255 motion by July 13.
3 I believe, with the extra days an extended filing deadline would
4 afford me, I could file a meaningful response that would be more
5 helpful to the court than what I could file by midnight.

6 7. I affirm under penalty of perjury that the statements
7 contained in this declaration are true and correct to the best of my
8 knowledge.

9 Executed this 13th day of July, 2007, in Sacramento,
10 California.

11 /s/ Camil A. Skipper
12 CAMIL A. SKIPPER

1 CERTIFICATE OF SERVICE BY MAIL
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4 The undersigned hereby certifies that she is an employee in the
5 Office of the United States Attorney for the Eastern District of
6 California and is a person of such age and discretion to be
7 competent to serve papers; that on July 13, 2007, she served a copy
8 of

9 **GOVERNMENT'S REQUEST FOR EXTENSION OF TIME TO FILE OPPOSITION BRIEF;
DECLARATION OF COUNSEL; PROPOSED ORDER**

10 by placing said copy in a postpaid envelope addressed to the
11 person(s) hereinafter named, at the place(s) and address(es) stated
12 below, which is/are the last known address(es), and by depositing
13 said envelope and its contents in the United States Mail at
14 Sacramento, California.

15 Addressee(s) :

16 ROLAND ADAMS
17 REG. NO. 13785-097
18 POST OFFICE BOX DRAWER 30
19 McRAE, GA 31055

20
21 _____
22 /s/ Virginia Waldrop
23 Virginia Waldrop